

Panaji, 31st January, 1981 (Magha 11, 1902)

SERIES II No. 44

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

EXTRAORDINARY

GOVERNMENT OF GOA, DAMAN AND DIU

Works, Education and Tourism Department

Notification

No. 14/21/80-WET

Whereas the Goa, Daman and Diu Board of Secondary and Higher Secondary Education appointed a Committee with Professor Shri G. G. Bakhle, as the Convenor and Shri B. Gaoncar, Shri Mario Vaz, Shri R. P. Namshikar and Shri G. M. Parsekar as members to go into the cases of verification of marks of March/April, 1980 examination of the Board;

And Whereas the said Committee submitted its report to the said Board on 21-10-80;

And Whereas the said Committee, in respect of the verification case No. 23 relating to the candidate, Miss M. S. Sardinha, appearing for XII Standard examination of the Board, found the following major alleged mal-practices:—

(a) The said candidate was given access to answer books after the results were declared to improve the answers on the papers;

(b) This was done when papers were taken out of the office of the Board;

(c) The said candidate did make alterations in the answer paper reportedly in Sachivalaya in the office of the P. A. to the Education Minister;

(d) Two fresh supplements were added to one of the papers involved in verification of marks;

(e) The Chairman of the Board was involved directly and the Assistant Secretary indirectly in all these activities;

(f) The Moderators were invited to collaborate in the illegalities which they did either under pressure or due to some other reasons though Rules did not permit them to do so;

(g) Finally, there was evidence to show that there was some sort of political interference in the affairs of the Board. P. A. to the Education Minister is directly involved in the case.

And Whereas the said Board after considering the said report submitted the same to the Government with a request to conduct a judicial inquiry with a view to fix responsibility and take appropriate action;

And Whereas the Government, after considering the said report and the said request of the Board carefully in regard to the said verification case No. 23 and the various alleged mal-practices pointed out therein and allegations made therein, are of the opinion that it is necessary to appoint

a Commission of Inquiry for the purpose of making a full inquiry into the aforesaid matters, alleged malpractices and the allegations which are of definite public importance.

Now, Therefore, the Lieutenant Governor of Goa, Daman and Diu in exercise of the powers conferred by section 3 of the Commissions of Inquiry Act, 1952 (Central Act 60 of 1952) read with clause (b) of sub-section (1) of section 6 of the Goa, Daman and Diu (Laws) Regulations, 1962 (12 of 1962) hereby appoints a Commission of Inquiry consisting of Shri R. K. Bhatta, Civil Judge, Senior Division to inquire into and report on and in respect of:—

Whether Miss M. S. Sardinha, the candidate, who is the niece of Shri Francisco Caitano Sardinha, the Minister of Education, was given access to the answer books of Chemistry and Physics papers by the Chairman, the Assistant Secretary or any other officer of the Board, after the results were declared, to improve the answers on the said papers?

(2) Whether the said answer books were taken out of the office of the Board by the Chairman, the Assistant Secretary or any other officer of the Board?

(3) Whether Miss M. S. Sardinha, did make additions and alterations in the said answer books in the office of Shri Felicio Esteves, P. A. to the Education Minister in the Sachivalaya?

(4) Whether the two moderators, namely Shri G. P. Dukle, Moderator in Chemistry paper and Shri A. B. Coelho, Moderator in Physics paper, were called by the said Shri Felicio Esteves, P. A. to the Education Minister, in the Sachivalaya for correcting and verifying the said answer books of Miss M. S. Sardinha and whether Miss M. S. Sardinha made additions and alterations in the said answer books before them after which they corrected and verified the said answer books again and whether the said moderators so acted under some political or some other pressure or influence or some other reasons?

(5) Whether two fresh supplements were added by Miss M. S. Sardinha, to the answer book of the Physics paper after the results were declared?

(6) Whether the Chairman, the Assistant Secretary or any other officer of the Board was involved directly or indirectly in the aforesaid activities?

(7) Whether Shri Felicio Esteves, P. A. to the Education Minister, was directly involved in the aforesaid activities and exerted his pressure or influence on the officers of the Board and the Moderators, as aforesaid, in the aforesaid activities?

(8) Whether there was directly or indirectly any sort of political or other interference or influence in respect of the aforesaid activities by Shri Francisco Caitano Sardinha, Minister for Education and whether the aforesaid activities were within his knowledge?

(9) Whether Miss M. S. Sardinha by her said acts had indulged in mal-practices solely with the aim of receiving more marks in the said papers and as such is guilty of adopting dishonest techniques to receive better results?

(10) Whether Shri Felicio Esteves, P. A. to the Education Minister, abused his official position for securing benefits for Miss M. S. Sardinha, who is the niece of the Education Minister, by the aforesaid activities?

(11) Whether the Chairman, the Assistant Secretary or any other officer of the Board committed various acts of favouritism, nepotism, illegalities, irregularities, improprieties and the abuse of their powers and position in the matters of the administration of the Board by their aforesaid activities?

(12) Whether the said two moderators, namely Shri G. P. Duple and Shri A. B. Coelho, committed acts of illegality and impropriety by their aforesaid acts?

The Commission of Inquiry may also hold such inquiry or perform such other functions as are necessary or incidental to this inquiry.

The Commission shall inquire into the detailed particulars pertaining to the aforesaid matters alongwith such other incidental and ancillary matters thereto that shall be placed before it during the inquiry.

The Commission shall make its report to the Government on or before 30-4-1981.

And whereas the Lieutenant Governor is of the opinion that having regard to the nature of the inquiry to be made and other circumstances of the case, all the provisions of sub-section (2), sub-section (3), sub-section (4), sub-section (5) and sub-section (6) of Section 5 of the Commissions of Inquiry Act, 1952 should be made applicable to the said Commission, the Lieutenant Governor of Goa, Daman and Diu hereby directs that all the said provisions shall apply to the said Commission.

The Commission shall have its headquarters at Panaji and may also visit such place or places which may be necessary in furtherance to the inquiry.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

A. V. Pimenta, Under Secretary (Works, Education and Tourism).

Panaji, 31st January, 1981.